

Applicant : Roderick J. Scott  
Serial No. : 10/058,825  
Filed : January 30, 2002  
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Attorney's Docket No.: 11696-067001 / PM32757

### REMARKS

In response to the office communication mailed July 14, 2004, Applicant has cancelled claims 1-19 and 23-39, amended claims 20-22 and added new claims 40-60. Support for the amendments can be found throughout the specification, e.g., page 30, lines 15-19, page 32 lines 6-8 and 27-29, and the original claims. No new matter has been added.

I) In response to the Examiner's comments about the numbering of claims, Applicant recognizes that claims 36-39 were inadvertently omitted in the response submitted April 22, 2004. Applicant apologizes for the error. It is believed that the present claims are numbered properly.

II) Applicant understood from the restriction requirement mailed March 11, 2004, that Group X included subject matter related to methods for decreasing the degree of nucleic acid methylation. Consequently, Group X was elected in the response filed April 22, 2004, and claim 18 was amended.

It is Applicant's desire to present claims related to methods for the production of a modified endosperm comprising reducing the degree of nucleic acid methylation by down-regulating one or more DNA methylating enzymes. Applicant provisionally elects the invention of Group XI, claims 20-22, classified in class 800, subclass 285. It is Applicant's belief that the invention of Group XI includes subject matter related to decreasing the degree of nucleic acid methylation by down-regulation of one or more DNA methylating enzymes.

This provisional election is made with traverse. Under M.P.E.P. §§ 803, if a search and examination can be made without serious burden, the claims are to be examined on the merits. Here, the present claims do not present such a serious burden on the Examiner as to make restriction proper.

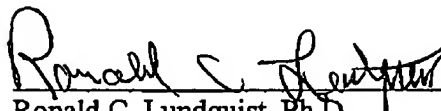
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Respectfully submitted,

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